

Application. No. 09/822,433
Amendment. Dated: May 25, 2006
Reply to Office Action of: February 3, 2006

REMARKS/ARGUMENTS

Claims 56 – 63 and 65 – 86 remain in the application.

1. Informalities

In the Office action the Examiner identifies informalities in claims 56-63, 65-83 and 86-88. The claims objected to by the Examiner have been amended to clarify the language of the claims.

None of the amendments made are for the purposes of patentability.

2. Anticipation 35 USC §102(b) – Claims 56-62, 65, 67-73, 75-77 and 86

Claims 56-62, 65, 67-73, 75-77 and 86 are rejected in the Office action as being anticipated by United States Patent No. 5,382,462 to Pacione (the “462 reference”). Claims 56 and 86 are independent.

United States Patent No. 5,382,462 to Pacione

The Office action explains that the subject claims stand rejected over United States Patent No. 5,191,692 to Pacione. Applicant respectfully traverses this objection as follows.

The Pacione reference discloses an adhesive tape (1), not an anchor sheet. The adhesive tape is for attachment to a substrate (see column 2, lines 39 to 41). The Pacione reference does not disclose an anchor sheet. In particular, it does not disclose an anchor sheet as claimed in claims 56 and 86.

One skilled in the art would not understand a tape to be an anchor sheet. They are different things. This is made clear in the disclosure of the present application, for example, at paragraph [0075]:

“As previously discussed the anchor sheet is also relatively rigid in the sense that it is not tape or cloth like.” (emphasis added)

Furthermore, at paragraph [0015] of the present application, the anchor sheet is described as:

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"rigid in the sense that if held at one end it can support itself for instance over a distance of 12-24 inches without droop unlike a cloth or fabric or tape." (emphasis added)

In view of the foregoing, it is clear that one skilled in the art would not consider a "tape" to be an "anchor sheet". In particular, one skilled in the art would not understand the description of an adhesive tape in the Pacione reference to teach the anchor sheet of claims 56 and 86. Accordingly, the Pacione reference does not anticipate claims 56 and 86 or any claim depending therefrom.

3. Anticipation 35 USC §102(b) – Claims 84 and 85

Claims 84 and its dependency, claim 85, are rejected in the Office action as being anticipated by United States Patent No. 5,060,443 to Pacione (the "'443 reference").

The '443 patent discloses the use of traditional, typically heavy, construction materials for the cladding panels. For example, at column 4, lines 34 to 37, the '443 disclosure states that "[i]t is possible, however, for the cladding panels to be formed of any suitable substance, such as for example plaster or fibreglass or even plywood. It is preferable, however, that such substances be flame retardant or even fireproof and reasonably inexpensive."

Similarly, the first sentence of the Abstract describes "[a]n anchor-board construction system suitable for incorporation into the interior of buildings and homes is disclosed for use as a cladding to replace conventional plaster based wall board similar to that known in the trade as gyprock, having one surface thereof incorporating a layer of protruding attachment hooks." This is also shown in the first sentence of the Detailed Description at column 5, lines 66-68: "A cladding panel 20 as shown in FIG. 1 may have typical dimensions of a conventional plasterboard panel i.e. four feet width by eight feet length, a base thickness of one half inch (nominal)."

The '443 disclosure does not teach the steps in method claim 84 of "laying a plurality of anchor sheets ... attaching a plurality of decorative coverings to a second anchor sheet ... attaching the second anchor sheet to the plurality of first anchor sheets" (emphasis added). These steps are not disclosed by the cited reference.

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The cited reference does not suggest such steps. As noted, the cited reference is generally directed to heavy construction materials. One skilled in the art would not understand that decorative coverings are to be applied to a (typically heavy) board, and then that board is to be attached to another board. Such steps may involve carrying such board with decorative covering to be attached to boards that have been laid. One skilled in the art may infer from the disclosure of the cited reference that such movement of boards with decorative coverings is difficult or impractical.

In view of the foregoing, the cited reference does not disclose or suggest the method of claim 1, and particularly does not disclose or suggest "laying a plurality of anchor sheets ...attaching a plurality of decorative coverings to a second anchor sheet ... attaching the second anchor sheet to the plurality of first anchor sheets." Accordingly, claim 84 is not anticipated by the '443 reference.

These examples illustrate that the '443 patent disclosure is generally directed to the use of traditional building materials which have characteristics similar to sheets of plaster wall board.

Claim 84 depends from claim 84. To the extent that claim 84 is not anticipated, claim 85 is also not anticipated by the cited reference.

4. Obviousness 35 USC §103(a) – Claim 66

Claim 66 is objected to as obvious in view of United States Patent No. 5,382,462 to Pacione (the "'462 reference"). Claim 66 depends from independent claim 56. To the extent that independent claim 56 is allowable in view of the comments above, claim 66 is also allowable.

5. Closing Remarks

In view of the above comments, the Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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